

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Figure 3 as requested by the Examiner. Specifically reference numeral 39 has been added to indicate the first port 39 of the first accumulator 40 and reference numeral 39 has been added to indicate the second port 45 of a second accumulator 46.

Attachment: Replacement sheet.

## REMARKS

Claims 1-20 stand rejected and remain pending in the subject patent application.

### Objection to the Drawings

The drawings were objected to because “it is unclear in the figures where the accumulator ports are located.” As a conventional accumulator has only a single port, one skilled in the art would understand that the port is located where the hydraulic line attaches to the accumulator. Nevertheless, in the attached sheet of drawings reference numeral 39 has been added to indicate the first port 39 of the first accumulator 40 and reference numeral 39 has been added to indicate the second port 45 of a second accumulator 46. The specification has been amended to refer to these numerals.

### Rejection Under 35 U.S.C. §112

Claims 11-16 were rejected under 35 U.S.C. §112 in that the phrase “at least one support” in claim 11 lacks an antecedent basis. The words “at least one” have been deleted in two places in claim 11 so that reference now is properly made to the first element of that claim.

The rejection also stated that it was unclear from the specification which component is considered to be the “support”. The Office Action is questioning the breadth of the claims which is not to be equated with indefiniteness, *In re Miller*, 441 F.2d 689, 169 U.S.P.Q. 597 (CCPA 1971). That court decision held that the test under the second paragraph of 35 U.S.C. §112 is whether one skilled in the art could determine if a given piece of equipment infringes the claims. It is submitted that a skilled artisan could make that determination with respect to the subject claim. Furthermore, paragraph [0014] of the

specification describes an embodiment of the present invention in which the operator cab 12 is supported on the vehicle chassis 14 by a hydromount vibration isolator 16 and two vibration isolators 17 and 18 with cylinders and pistons. Therefore, in this embodiment it is clear that the support in claim 11 corresponds to the hydromount vibration isolator, as the cylinders and pistons are separately recited in that claim.

For these reasons, withdrawal of the rejection under 35 U.S.C. §112 is requested.

### **Rejection Under 35 U.S.C. §102**

Claim 1 has been rejected under 35 U.S.C. §102 as being anticipated by Sonehara.

The rejection identified the claimed hydraulic circuit node as corresponding to the node below orifice 18a in the front left suspension 19FL in Sonehara. That orifice 18a then is called the claimed first orifice and the rejection states that any other orifice 18a in another section of the suspension system qualifies as the claimed second orifice.

First of all, one of ordinary skill in the hydraulic art would not consider an orifice 18a for an accumulator in another suspension system section in Sonehara as being connected between that accumulator and the node 18a of the front left suspension section. Note that such second orifice is isolated from such hydraulic circuit node by a control valve 16 and two check valves 14. In addition the different sections are isolated from each other by their intervening connections to the pressure supply line 7 and tank return line 13. Those intervening connections negate the rejection's contention that connection two accumulators in the reference are connected by separate orifices to the same hydraulic circuit node based on the generally accepted meaning of "connected between" in the hydraulic art.

Nevertheless to clarify application of that accepted meaning, claim 1 has been amended to state that the first orifice conveys fluid between the first port and the hydraulic circuit node, and the second orifice conveys fluid between the second port and the hydraulic circuit node. In addition to the intervening connections to the supply and tank return lines, the reverse oriented check valves 14 and 15 in the Sonehara system prevent two orifices 18a from conveying fluid from the same hydraulic circuit node.

Therefore, Sonehara fails to teach the structure of claim 1 and thus that claim is not anticipated under 35 U.S.C. §102.

### **Rejection Under 35 U.S.C. §103**

Claims 2-20 were rejected under 35 U.S.C. §103 as being unpatentable over Sonehara in view of Rogala.

The combination of Rogala with Sonehara still fails to disclose a first orifice conveying fluid between a hydraulic circuit node, as defined in claim 1, and a first accumulator port; and a second orifice conveying fluid between the same hydraulic circuit node and a second accumulator port. Therefore, the fundamental structure of claims 2-10 that depend from claim 1 is not suggested when the two references are combined.

Independent claim 11 recites:

- (1) a first proportional control valve coupling the first chamber of the first cylinder to the first accumulator, and
- (2) a second proportional control valve coupling the third chamber of the second cylinder to the second accumulator.

Nothing in the references suggests a need to provide such proportional control valves in the Sonehara system, much less a need to add Rogala's valve 68 to the Sonehara system.

Claim 11 further recites a hydraulic circuit node coupled to both the first and second accumulators, and a leveling valve that selectively couples that hydraulic circuit node to either a source of pressurized fluid or a tank. The combined teachings of Sonehara and Rogala do not suggest a leveling valve that connects a node in this manner wherein fluid is conveyed between that node and two accumulators. The pressure relationships in the reference systems are such that any fluid flowing from suspension system section to the tank line flows directly into the tank and not into an accumulator in another suspension system section.

For these reasons claims 11-16 are patentable under 35 U.S.C. §103.

Independent claim 17 specifies a first flow control device connecting the first chamber of the first cylinder to the hydraulic circuit node to restrict fluid that flows there between, and a second flow control device connecting the third chamber of the second cylinder to the same hydraulic circuit node to restrict fluid that flows there between. Note that Sonehara does not teach any flow control device between nodes 18a and the associated cylinder 23. Rogala teaches fluid flowing between any of its nodes and only one cylinder, so that at best there is only one flow control device for any node. Therefore, in both references, fluid only flows from any given node to only one cylinder, not to two cylinders because the common supply and tank lines preclude that dual flow. As a result, the second fluid second flow control device is not suggested by these prior patents.

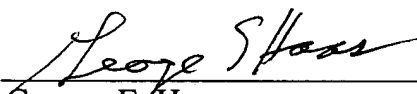
As a consequence, claims 2-20 are not rendered obvious under 35 U.S.C. §103.

## Conclusion

In view of these distinctions between the subject matter of the present claims and teachings of the cited patents, reconsideration and allowance of the present application are requested.

Respectfully submitted,  
Dennis Barber, *et al.*

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By:   
George E. Haas  
Registration No. 27,642

Quarles & Brady LLP  
411 E. Wisconsin Avenue Suite 2040  
Milwaukee, WI 53202-4497  
Telephone (414) 277-5751

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